

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James B. Copelan
Serial No.: 09/729,888
Filed: 12/04/00
For: A Pre-Surgical Safety, Warning, Notification, and/or Alerting Device
Group: 3764
Examiner: Michael A. Brown

#12

RECORD OF TELEPHONE INTERVIEW

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant respectfully submits the following record of the telephone interview conducted on Tuesday, January 21, 2003, at 11:30 a.m. Eastern Time. Parties to the telephone interview were Examiner Brown, and Attorneys Jeffrey Finn and Linda Gould on behalf of Applicant.

The parties generally discussed the Office Action dated October 23, 2002, without addressing any particular claim or the merits thereof. Attorney Jeffrey Finn requested that Examiner Brown issue a new Office Action in lieu of the one mailed October 23, 2002, which new Office Action would more particularly set forth how each element of the claimed invention was anticipated by the Zinreich reference. Examiner Brown agreed to provide a new Office Action designed to accommodate this request (the "New Office Action").

Furthermore, Examiner Brown acknowledged that the statutory period for reply to the Office Action dated October 23, 2002, is suspended, so that no reply is due. Instead, a new statutory period for reply will commence when the New Office Action is mailed.

Respectfully submitted,



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DATE: January 22, 2003 TIME: _____

TO: Examiner Michael Brown FAX NO.: 703-872-9302

TO: Jeffrey Fin FAX NO.: 213-896-6600

TO: James Copelan FAX NO.: 661-296-9922

RE: Serial No. 09/729,888

FROM: Linda Gould

TOTAL NUMBER OF PAGES TRANSMITTED 3 (including this cover sheet)

DOCUMENTS: 1. Record of Telephone Interview

2. _____

COMMENTS: _____

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